

**LAW LIBRARY  
ARIZONA ATTORNEY GENERAL**

February 17, 1960

Mr. Julian H. McClure  
Assistant Registrar of Contractors  
1818 West Adams Street  
Phoenix, Arizona

Dear Mr. McClure:

This will acknowledge receipt of your letter of January 21, 1960 in which you asked our recommendations as to procedure under the fact situation set out in your letter.

It is our opinion that the Registrar of Contractors has no duty to determine the licenses that may be necessary for a particular contract, except for the purpose of determining whether any particular contractor is acting in violation of the Arizona Statutes commonly known as the Contractors Licensing Code. Therefore, it is our opinion that if a certain fact situation is presented to the Registrar and he is asked what licenses would be necessary under those facts, as was done according to statements in your letter, the Registrar is answering only a hypothetical question, and hence, whether or not such facts exist in a given circumstance, as for instance, whether or not the city job does or does not exceed the \$50,000 limit on B-2 licenses, is immaterial in answering the hypothetical. However, when the question is raised as to whether one with a B-2 license can contract to perform a job in excess of \$50,000, this limit becomes material and the Registrar should make his own investigation to determine whether or not the holder of a B-2 license is in fact contracting on a contract exceeding that amount. If it is found by the Registrar that the contract exceeds that amount, then he may take one of two procedures - either charge the contracting party with contracting without a license or bring an action to enjoin him from performing a contract.

We trust this will assist you in this particular problem.

Very truly yours,

WADE CHURCH  
The Attorney General

JOHN VANLANDINGHAM  
Assistant Attorney General

JV:mp

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LETTER 60-30-L

VANLANDINGHAM

I Concur

WADE CHURCH

I Concur

H.B. DANIELS

February 18, 1960

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Mr. G. J. Musselmann  
Star Route 1  
Willcox, Arizona

Dear Mr. Musselmann:

Enclosed is a copy of our letter opinion dated February 17, 1960 addressed to Mr. Donald J. Morgan, Chief Counsel, Industrial Commission, concerning boys committed to Fort Grant who are living and working on farms and ranches.

We thank you very much for your interest in this matter.

Cordially yours,

WADE CHURCH  
The Attorney General

STIRLEY NEWELL  
Assistant Attorney General

SN-et  
Enc.

(No number)